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PATENT

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS:

Dan Meisburger, Alan D. Brodie, Zhong-Wei Chen, Jack Y. Jau, Paul Sandland, Richard Simmons, Dave E. A. Smith, Hans Dohse, Dennis G. Emge, John Greene, Lee Veneklasen, Ming-Yie Ling, Surendra G. Lele, Kirkwood Rough

PATENT NO.:

5,717,204

ISSUED:

February 10, 1998

TITLE:

Inspecting Optical Masks With Electron Beam Microscopy

SERIAL NO.:

09/502,534

FILING DATE:

February 10, 2000

ATTY. DKT. NO.:

4765

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.

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Typed or Printed Name:

Trinidad Arriola Kern

Dated:

10/2/00

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COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

**PETITION FOR FILING ON BEHALF OF AN OMITTED INVENTOR
UNDER 37 C.F.R. SECTION 1.47(a)**

Dear Sir:

The named co-inventors, Alan D. Brodie, Zhong-Wei Chen, Jack Y. Jau, Paul Sandland, Richard Simmons, Dave E. A. Smith, Hans Dohse, Dennis G. Emge, John Greene, Lee Veneklasen, Ming-Yie Ling, Surendra G. Lele, and Kirkwood Rough, hereby petition the Commissioner to accept the filing of the above-referenced U.S. reissue patent application by

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them, as joint inventors of the invention disclosed and claimed in the above-referenced reissue patent application, on behalf of, and as agent for, the omitted inventor, Dan Meisburger.

The complete name, last known address, and citizenship of the omitted inventor, who refuses to sign the required declaration and power of attorney, is:

Dan Meisburger
1507 Montalban Drive
San Jose, CA 95120-4830
Citizen of: USA

A "DECLARATION OF FACTS BY PERSON HAVING FIRST HAND
KNOWLEDGE IN SUPPORT OF FILING ON BEHALF OF AN OMITTED INVENTOR

UNDER 37 C.F.R. section 1.47(a)" (hereinafter "DECLARATION OF FACTS") is enclosed to provide proof of the pertinent facts concerning the diligent effort to have the omitted inventor join in the above-referenced patent application.

Therefore, the above-named co-inventors, Alan D. Brodie, Zhong-Wei Chen, Jack Y. Jau, Paul Sandland, Richard Simmons, Dave E. A. Smith, Hans Dohse, Dennis G. Emge, John Greene, Lee Veneklasen, Ming-Yie Ling, Surendra G. Lele, and Kirkwood Rough, are entitled to file the above-referenced patent application on behalf of the omitted inventor, Dan Meisburger.

The enclosed EXHIBITS A to F are provided to support statements made in the enclosed DECLARATION OF FACTS.

As stated in the enclosed DECLARATION OF FACTS, Dan Meisburger is a joint inventor of the subject matter of the above-referenced patent application along with Alan D. Brodie, Zhong-Wei Chen, Jack Y. Jau, Paul Sandland, Richard Simmons, Dave E. A. Smith, Hans Dohse, Dennis G. Emge, John Greene, Lee Veneklasen, Ming-Yie Ling, Surendra G. Lele,

and Kirkwood Rough. Mr. Meisburger refuses to sign a timely REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY after a diligent effort to obtain his signature. Therefore, Alan D. Brodie, Zhong-Wei Chen, Jack Y. Jau, Paul Sandland, Richard Simmons, Dave E. A. Smith, Hans Dohse, Dennis G. Emge, John Greene, Lee Veneklasen, Ming-Yie Ling, Surendra G. Lele, and Kirkwood Rough, as joint inventors, makes this application on behalf of, and as agent for, the omitted inventor, Dan Meisburger, pursuant to 37 C.F.R. section 1.47(a).

A REISSUE APPLICATION DECLARATION signed in counterpart by the joint inventors, Alan D. Brodie, Zhong-Wei Chen, Jack Y. Jau, Paul Sandland, Richard Simmons, Dave E. A. Smith, Hans Dohse, Dennis G. Emge, John Greene, Lee Veneklasen, Ming-Yie Ling, Surendra G. Lele, and Kirkwood Rough, on their own behalf and on behalf of the omitted inventor, Dan Meisburger, is also enclosed.

The required fee of \$130 pursuant to 37 C.F.R. section 1.17(i) is also enclosed.

This petition is being filed along with a RESPONSE TO NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION in response to a NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION, dated April 3rd 2000, received from the U.S.P.T.O.

Respectfully submitted,
ALAN D. BRODIE, et al.

Dated: Oct. 2, 2000

By: 
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